

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DIANE M. BEGOS,
Plaintiff,

v.

Case No. 13-C-0287

COUNTY OF WAUKESHA,
Defendant.

ORDER

On March 18, 2014, the defendant filed a motion to dismiss this case because the plaintiff did not promptly respond to its requests for signed medical authorizations and dates to depose two of the plaintiff's expert witnesses. As an alternative to dismissal, the defendant requested an extension of time to disclose its own expert witnesses.

In her response to the motion, the plaintiff indicates that she has now provided the signed medical authorizations and also that she has provided the defendant with contact information for her experts so that the defendant can arrange dates for their depositions. The defendant in its reply brief confirms these matters. However, the defendant maintains that the case should be dismissed for lack of prosecution due to the plaintiff's delay. I will not dismiss the case for this reason. Although the defendant claims to have been prejudiced by the delay, it does not in concrete terms identify any prejudice it has suffered, and I do not think that the plaintiff's delay was so egregious as to require dismissal of her suit. See Bolt v. Loy, 227 F.3d 854, 856–57 (7th Cir. 2000). However, the plaintiff does not oppose the defendant's alternative request to extend the deadline for disclosing its expert witnesses, and for that reason I will grant the defendant's alternative request. The

defendant does not indicate how much additional time it needs, so for now I will extend the deadline by one month.

Accordingly, **IT IS ORDERED** that the defendant's motion to dismiss is **DENIED** and that its request for an extension of time is **GRANTED**. The defendant's deadline for disclosing expert witnesses is extended until June 2, 2014.

Dated at Milwaukee, Wisconsin, this 30th day of April, 2014.

s/ Lynn Adelman

LYNN ADELMAN
District Judge